

**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA**

NEW PRIORITY DATE:

Date of filing in State Engineer's Office ~~JUN 26 2003~~ MAR 26 2012

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUN 26 2003

The applicant **Jack W. Sanders** hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground Source**
2. The amount of water applied for is **1 Acre Foot (1800 gallon a day)** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Commercial use**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks") **Winery Restaurant**
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **Within the SE4 SE4 Section 18, Township 21 South Range 54 East M.D.B. & M. or at a point from which the SE corner of said Section 18 bears S 77° 30' E a distance of 1273 feet.**
6. Place of Use **within the W2 SW4 SE4 SE4 of Section 18, Township 21 South Range 54 East M.D.B. & M. also being lot 1 of parcel Map File 166022 Nye County Records.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works
9. Estimated cost of works **\$25,000.00**
10. Estimated time required to construct works **2 Years**
11. Estimated time required to complete the application of water to beneficial use **4 Years**
12. Remarks: **Winery Restaurant**

Richard L. Hafen
By **s/Richard L. Hafen Agent**
2383 Gateway Rd.
Las Vegas Nevada, 89115

Compared hmsw/cmf 1b/CMF

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

Permit 70153 is granted to provide commercial water service to a winery and restaurant on a lot described by Nye County Assessor's Parcel Number 45-191-03. Irrigation of a vineyard is not allowed under this permit.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.02 cubic feet per second, but not to exceed 1.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

November 24, 2005

Proof of completion of work shall be filed before:

December 24, 2005

Water must be placed to beneficial use on or before:

November 24, 2007

Proof of the application of water to beneficial use shall be filed on or before:

December 24, 2007

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 24th day of November, A.D. 2003



State Engineer

Completion of work filed FEB 21 2006

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

~~CANCELLED FEB 29 2012 BECAUSE OF
FAILURE OF APPLICANT TO COMPLY WITH
THE PROVISIONS OF PERMIT
P.E. STATE ENGINEER
Can. Rescinded 10-12-12~~